



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE
ON
ELECTIONS

Wednesday, April 27, 2016

10:30 a.m.

Room 308 House Office Building

The House Standing Committee on Elections was called to order by Representative Lisa Posthumus Lyons, Chair.

MEMBERS PRESENT: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto, Driskell, Irwin and Hoadley.

MEMBERS ABSENT/EXCUSED: None.

Representative Jacobsen moved to adopt the minutes from the **Wednesday, March 16, 2016**, meeting. There being no objection, the motion prevailed by unanimous consent.

Chair Lyons laid **SB 776** before the committee:

SB 776 (Robertson) Elections; petitions; petition signature rebuttable presumption; eliminate.

TESTIMONY

Ellis Boal, representing the Committee to Ban Fracking in Michigan, testified and submitted written testimony in opposition to the bill.

LuAnne Kozma, Director of the Committee to Ban Fracking in Michigan, testified and submitted written testimony in opposition to the bill.

Questions and discussion followed.

David Schonberger, representing himself, testified and submitted written testimony in opposition to the bill.

Jeffery Hank, representing MI Legalize, testified in opposition to the bill.

Representative Heise called John Pirich, representing Honigan Miller, to give comments to the committee.

John Pirich gave comments to the committee in support of the bill.

Chair Lyons placed the committee at ease @ 11:24 a.m.
The committee reconvened @ 11:49 a.m.

Representative Driskell offered and moved to adopt the following amendment to **SB 776**:

1. Amend page 1, following line 6, by inserting:
“Enacting section 1. This amendatory act takes effect January 1, 2017.”.

The motion prevailed by a vote of **8-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto, Driskell, Irwin and Hoadley,

Nays: None,

Pass: None.

Representative Irwin offered and moved to adopt the following amendment to **SB 776**:

1. Amend page 1, following line 6, by inserting:
“Enacting section 1. This amendatory act takes effect January 1, 2019.”.

The motion did not prevail by a vote of **3-5-0**.

UNFAVORABLE ROLL CALL:

Yeas: Representatives Driskell, Irwin and Hoadley,

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen and Kesto,

Pass: None.

Representative Irwin offered and moved to adopt the following amendment to **SB 776**:

1. Amend page 1, line 4, after “than” by striking out “180” and inserting “**270**”.

The motion did not prevail by a vote of **3-5-0**.

UNFAVORABLE ROLL CALL:

Yeas: Representatives Driskell, Irwin and Hoadley,

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen and Kesto,

Pass: None.

Representative Hoadley offered and moved to adopt the following amendment to **SB 776**:

1. Amend page 1, line 4, after “than” by striking out “180” and inserting “**364**”.

The motion did not prevail by a vote of **3-4-1**.

UNFAVORABLE ROLL CALL:

Yeas: Representatives Driskell, Irwin and Hoadley,

Nays: Representatives Lyons, Heise, Jacobsen and Kesto,

Pass: Representative Leutheuser.

Representative Hoadley offered and moved to adopt the following amendments to **SB 776**:

1. Amend page 1, line 1, after "Sec. 472a." by striking out "**THE**" and inserting "**(1) SUBJECT TO SUBSECTION (2), THE**".

2. Amend page 1, following line 6, by inserting:

"(2) FOR A PETITION THAT PROPOSES AN AMENDMENT TO THE CONSTITUTION OR IS TO INITIATE LEGISLATION, AND THAT WAS FILED WITH THE OFFICE OF THE SECRETARY OF STATE BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, IT SHALL BE REBUTTABLY PRESUMED THAT A SIGNATURE ON THE PETITION IS STALE AND VOID IF THE SIGNATURE WAS MADE MORE THAN 180 DAYS BEFORE THE PETITION WAS FILED."

The motion did not prevail by a vote of **3-5-0**.

UNFAVORABLE ROLL CALL:

Yeas: Representatives Driskell, Irwin and Hoadley,

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen and Kesto,

Pass: None.

Representative Driskell moved to reconsider the vote on the adoption of the Driskell amendment.

The motion prevailed by a vote of **7-1-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto, Driskell and Hoadley,

Nays: Representative Irwin,

Pass: None.

The question being on the adoption of the Driskell amendment.

Representative Driskell withdrew her amendment.

Chair Lyons offered and moved to adopt the following amendment to **SB 776**.

1. Amend page 1, following line 6, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2017."

The motion prevailed by a vote of **8-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto, Driskell, Irwin and Hoadley,

Nays: None,

Pass: None.

Representative Irwin offered and moved to adopt the following amendment to **SB 776**:

1. Amend page 1, following line 6, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No.

4724 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of **4-4-0**.

UNFAVORABLE ROLL CALL:

Yeas: Representatives Lyons, Driskell, Irwin and Hoadley,
Nays: Representatives Leutheuser, Heise, Jacobsen and Kesto,
Pass: None.

Representative Leutheuser moved to report **SB 776** with recommendation, as amended.

The motion prevailed by a vote of **5-3-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Lyons, Leutheuser, Heise, Jacobsen and Kesto,
Nays: Representatives Driskell, Irwin and Hoadley,
Pass: None.

The following individuals submitted a card and/or written testimony but did not speak:

Merrisa Kovach, representing the ACLU of Michigan, opposes the bill.

Mike Batterbee, representing the Michigan Secretary of State Office, indicated neutrality on the bill.

John Anthony La Pietra representing himself.

There being no further business before the committee, the Chair adjourned the meeting at 12:09 p.m.

Representative Lisa Lyons, Chair
House Standing Committee on Elections

Malika Abdul-Basir
Committee Clerk
517-373-7256
1 Hour and 39 Minutes